

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH BERRY,

Plaintiff,

V.

STATE OF WASHINGTON, et al.,

Defendants.

CASE NO. C10-5078BHS

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter comes before the Court on the Report and Recommendation (“R&R”) of the Honorable J. Richard Creatura, United States Magistrate Judge. Dkt. 64. The Court, having considered the R&R and the remaining record, and no objections having been filed, does hereby find and order as follows:

- (1) The R&R is **ADOPTED**; and
- (2) The parties' cross motions for summary judgment (Dkts. 54 & 55) are

DENIED.

Dated this 7th day of May, 2012.



BENJAMIN H. SETTLE
United States District Judge

ORDER